

CITY OF TUMWATER
PUBLIC WORKS DEPARTMENT
555 ISRAEL ROAD SW
TUMWATER, WA 98501

Thurston County Treasurer
Real Estate Excise Tax Paid None
By [Signature] 12/14 Deputy

RIGHT-OF-WAY VACATION ORDINANCE NO. O2014-021

REFERENCE NUMBERS(S) OF RELATED DOCUMENTS

City of Tumwater Ordinance No. O2014-021, Pages 1-2
Exhibit "A" – Legal Description of Right-of-Way Being Vacated
Exhibit "B" – Depiction of Vacation Area

(ADDITIONAL REFERENCE NUMBERS ON PAGE)

GRANTOR(S) (LAST, FIRST, MIDDLE INITIAL)

Tumwater, City of

(ADDITIONAL GRANTORS ON PAGE)

GRANTEE(S) (LAST, FIRST, MIDDLE INITIAL)

South Puget Sound Community College

(ADDITIONAL GRANTEES ON PAGE)

LEGAL DESCRIPTION

(ABBREVIATED FORM: I.E. LOT, BLOCK, PLAT OR SECTION, TOWNSHIP, RANGE, QUARTER/QUARTER)

NW 1/4, Sec 27, T18N, R2W, WM

(ADDITIONAL LEGAL DESCRIPTION IS ON PAGE)

ASSESSOR'S PROPERTY TAX PARCEL/ACCOUNT NUMBER

Unnumbered public right-of-way adjacent to Parcel No. 73406100100

(ADDITIONAL PARCEL NUMBERS ON PAGE Exhibit "B")

THE AUDITOR/RECORDER WILL RELY ON INFORMATION PROVIDED ON THIS FORM. COUNTY STAFF WILL NOT READ DOCUMENTS TO VERIFY ACCURACY OR COMPLETENESS OF THE INDEXING INFORMATION PROVIDED.



ORDINANCE NO. O2014-021

AN ORDINANCE of the City Council of the City of Tumwater, Washington, vacating the hereinafter described portion of City right-of-way lying south of Mottman Road and west of Crosby Boulevard, abutting Parcel No. 73406100100 in the City of Tumwater, pursuant to RCW Chapter 35.79 and Tumwater Municipal Code 12.04 as more fully described herein.

WHEREAS, a petition for vacation of the hereinafter described public right-of-way was filed with the City of Tumwater by South Puget Sound Community College; and

WHEREAS, notice of the public hearing was duly published and posted, and a public hearing held on October 21, 2014; and

WHEREAS, similar notice was duly given by mail to owners of all properties surrounding the right-of-way sought to be vacated; and

WHEREAS, the City Council finds sufficient grounds for the vacation of said portion of City right-of-way, and that vacation thereof would be in the public interest.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF TUMWATER, STATE OF WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. The portion of public right-of-way described in Exhibit “A”, the Petition for Vacation, and depicted in Exhibit “B”, both attached hereto and by reference made a part of this Ordinance, is hereby vacated:

Section 2. Compensation for the vacated right-of-way has been provided through Tumwater Municipal Code Section 12.04.130 “Waiving compensation – Other governmental agencies.”

Section 3. Easement Retained. A public access easement is to be retained by the City of Tumwater over the total area of this right-of-way vacation.

Section 4. Corrections. The City Clerk and codifiers of this ordinance are authorized to make necessary corrections to this ordinance including, but not limited to, the correction of scrivener/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

Section 5. Ratification. Any act consistent with the authority and prior to the effective date of this ordinance is hereby ratified and affirmed.

Section 6. Severability. The provisions of this ordinance are declared separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section, or portion of this ordinance or the invalidity of the application thereof to any person or circumstance, shall not affect the validity of the remainder of the ordinance, or the validity of its application to other persons or circumstances.

Section 7. Effective Date. This ordinance shall become effective thirty (30) days after passage, approval and publication as provided by law. Pursuant to RCW 35.79 and Tumwater Municipal Code 12.04.110, the City Clerk is hereby directed to not publish this ordinance until said easement document has been received and verified. In the event such easement is not received within ninety (90) days of the City Council's adoption of said ordinance, this ordinance shall be null and void.

ADOPTED this 21st day of October, 2014.

CITY OF TUMWATER

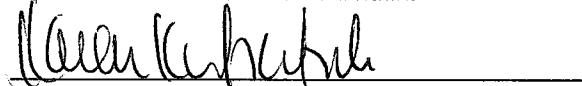


Pete Kmet, Mayor

ATTEST:


Melody Valiant, City Clerk

APPROVED AS TO FORM:


Karen Kirkpatrick, City Attorney

Published: 12-11-2014

Effective Date: 01-10-2015

EXHIBIT "A"

PETITION FOR VACATION

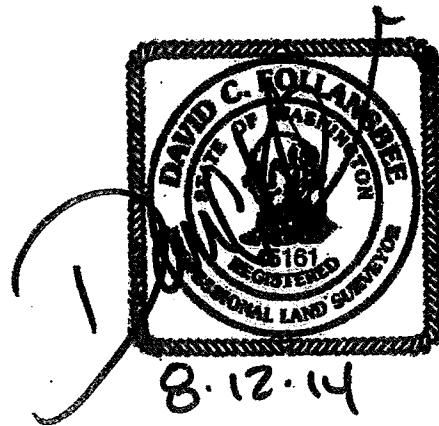
WE, THE UNDERSIGNED, DO HEREBY PETITION THE CITY OF TUMWATER FOR VACATION OF THE FOLLOWING RIGHT-OF-WAY:

THAT PORTION OF MOTTMAN ROAD AND THAT PORTION OF CROSBY STREET LYING WITHIN THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 18 NORTH, RANGE 2 WEST OF THE WILLAMETTE MERIDIAN IN THE CITY OF TUMWATER, THURSTON COUNTY, WASHINGTON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE SOUTH LINE OF BLOCK F, SECOND CAPITOL ADDITION TO OLYMPIA, RECORDED IN VOLUME 6 OF PLATS AT PAGE 2, WITH THE WESTERLY MARGIN OF CROSBY STREET AS SHOWN ON THE SURVEY FOR CITY OF OLYMPIA BLA-09-0016-OL, RECORDED UNDER AUDITOR'S FEE NO. 4092906; THENCE NORTH 01°46'20" EAST ALONG SAID WESTERLY MARGIN A DISTANCE OF 62.72 FEET TO AN ANGLE POINT IN SAID MARGIN; THENCE NORTH 10°27'59" WEST ALONG SAID MARGIN A DISTANCE OF 203.51 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING NORTH 10°27'59" WEST ALONG SAID MARGIN A DISTANCE OF 11.35 FEET; THENCE LEAVING SAID MARGIN NORTH 58°22'03" EAST A DISTANCE OF 35.66 FEET; THENCE SOUTH 32°01'05" EAST A DISTANCE OF 30.55 FEET; THENCE SOUTH 53°52'38" EAST A DISTANCE OF 6.23 FEET; THENCE SOUTH 31°56'15" EAST A DISTANCE OF 15.10 FEET; THENCE SOUTH 58°03'45" WEST A DISTANCE OF 11.35 FEET; THENCE NORTH 68°50'47" WEST A DISTANCE OF 51.35 FEET TO THE POINT OF BEGINNING.

CONTAINING 1,440 SQUARE FEET, MORE OR LESS.

Legal description prepared by: David C. Follansbee, PLS
AHBL INC.
8/11/2014



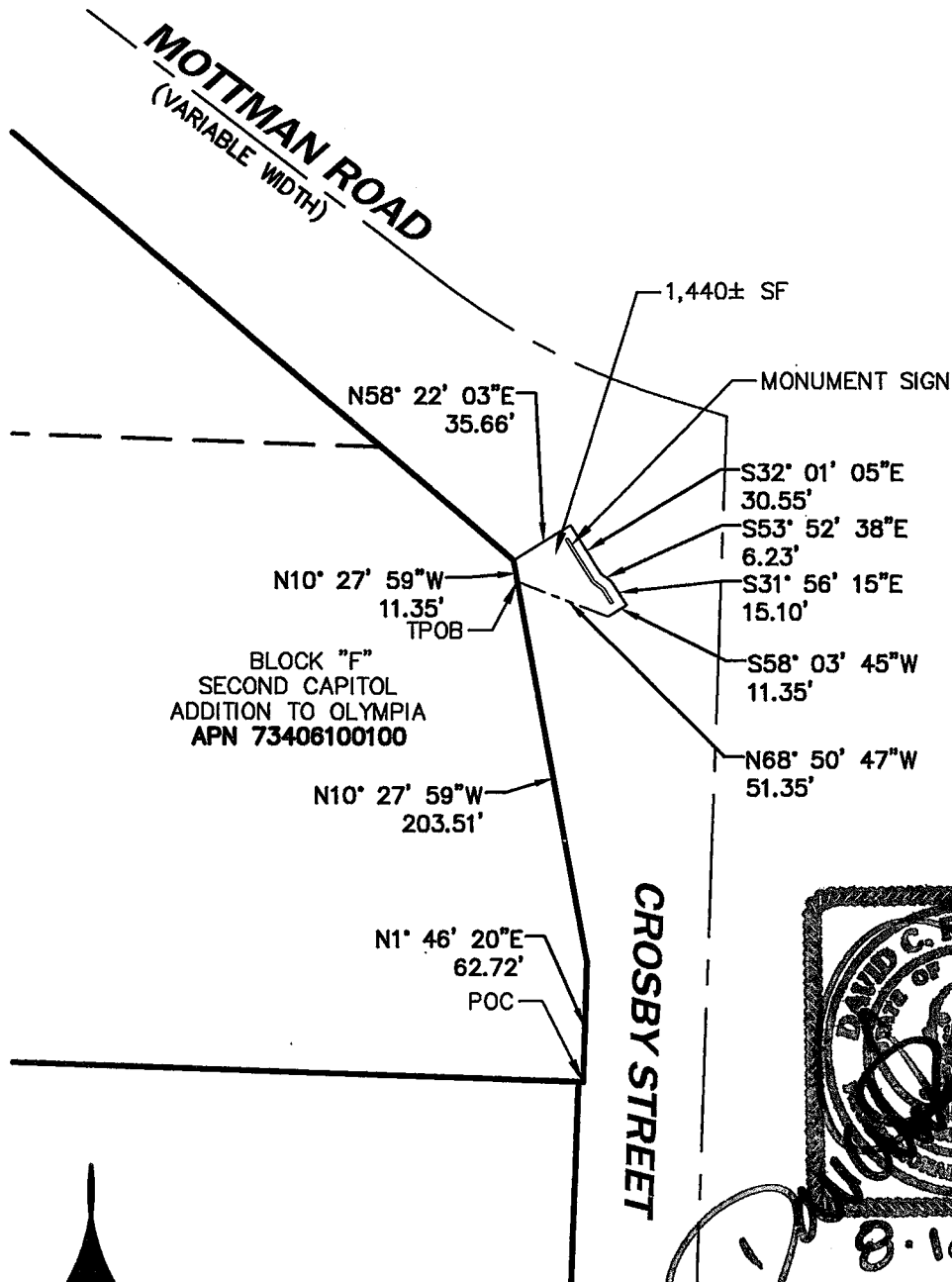
Vacation Request Submitted:



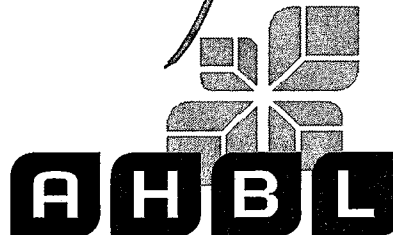
By: Al Brown
Vice President for Administrative
Services

September 29, 2014
Date:

EXHIBIT "B"



JOB NO. 2140474.50
August 11, 2014
ROW VACATION
LEGAL BY: BD EXHIBIT BY: TD
w: \sdsproj\2014\2140474\2140474.dwg



2215 North 30th Street,
Suite 300,
Tacoma, WA 98403
253.383.2422 TEL
253.383.2572 FAX

THIS EXHIBIT HAS BEEN PREPARED TO ASSIST IN THE INTERPRETATION OF THE ACCOMPANYING LEGAL DESCRIPTION. IF THERE IS A CONFLICT BETWEEN THE WRITTEN LEGAL DESCRIPTION AND THIS SKETCH, THE LEGAL DESCRIPTION SHALL PREVAIL.